



05-17-04

JFW RPAE

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/057,805       |
| Filing Date            | 01/23/2002       |
| First Named Inventor   | Fred C. HOYLE IV |
| Art Unit               | 1744             |
| Examiner Name          | Mark Spisich     |
| Attorney Docket Number | 43741-00001      |

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input checked="" type="checkbox"/> Petition (Petition to Revoke)<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication<br>to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>Identify below):<br>Comments on Statement of Reasons for<br>Allowance; Postcard; Part B - Fee<br>Transmittal; and Certificate of Mailing. |
|---|--|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                               |                    |
|-------------------------------|--------------------|
| Firm<br>or<br>Individual name | Lucius L. Lockwood |
| Signature                     |                    |
| Date                          | May 13, 2004       |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |     |      |     |
|-----------------------|-----|------|-----|
| Typed or printed name | n/a | Date | n/a |
| Signature             |     |      |     |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1330

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/057,805       |
| Filing Date          | 01/23/2002       |
| First Named Inventor | Fred C. HOYLE IV |
| Examiner Name        | Mark Spisich     |
| Art Unit             | 1744             |
| Attorney Docket No.  | 43741-00001      |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
502509

Deposit Account Name  
Lewis and Roca LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$ )    |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |                      | Extra Claims |                      | Fee from below |                      | Fee Paid             |
|--------------------|----------------------|--------------|----------------------|----------------|----------------------|----------------------|
| Total Claims       | <input type="text"/> | -20** =      | <input type="text"/> | X              | <input type="text"/> | <input type="text"/> |
| Independent Claims | <input type="text"/> | -3** =       | <input type="text"/> | X              | <input type="text"/> | <input type="text"/> |
| Multiple Dependent |                      |              |                      |                | <input type="text"/> | <input type="text"/> |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |          |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |          |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |  | (\$ )    |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   | 665      |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   | 665      |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 1330

## SUBMITTED BY

(Complete if applicable)

|                   |                    |                                   |              |           |              |
|-------------------|--------------------|-----------------------------------|--------------|-----------|--------------|
| Name (Print/Type) | Lucius L. Lockwood | Registration No. (Attorney/Agent) | 53,231       | Telephone | 602.262.5355 |
| Signature         |                    | Date                              | May 13, 2004 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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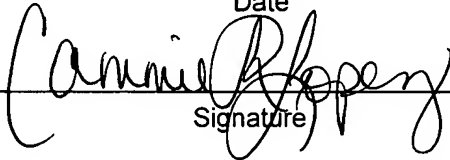
### Certificate of Mailing under 37 CFR 1.8

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P.O. Box 1450  
Alexandria, VA 22313-1450**

on May 13, 2004

Date



Signature

Cammie R. Lopez

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

**For: ALL-IN-ONE FITTING BRUSH**

1. Transmittal Form (1 page);
2. Fee Transmittal Form (1 page);
3. Certificate of Mailing (1 page);
4. Petition to Revive Under 37 C.F.R. § 1.137(b) (3 pages);
5. Comments on Statement of Reasons for Allowance (2 pages);
6. Part B – Fee(s) Transmittal (1 page); and
7. Return Receipt Card (1card)



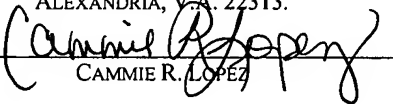
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|   |                               |
|---|-------------------------------|
| <b>Applicant:</b> Fred C. Hoyle IV      | <b>Examiner:</b> Mark Spisich |
| <b>Serial No.</b> 10/057,805            | <b>Group Art Unit:</b> 1744   |
| <b>Filed:</b> 1/23/2002                 |                               |
| <b>For:</b> ALL-IN-ONE FITTING<br>BRUSH | <b>Docket No.</b> 43741-00001 |

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, V.A. 22313-1450

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WITH EXPRESS MAIL LABEL NO. EV297255298US IN AN  
ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS,  
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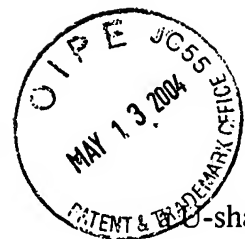
  
Cammie R. Lopez

**Comments on Statement of Reasons for Allowance**

Dear Examiner:

Pursuant to the provisions of MPEP § 1302.14, and further in regards to the payment of issue fee enclosed herewith, the Applicant provides the following comments on the Examiner's Statement of Reasons for Allowance, and wishes such comments to be incorporated into the record.

While the Applicant agrees that the Examiner's Amendment placed the application in condition for allowance, the Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance. For example, but not by way of limitation, the Examiner states that the "cited patents all disclose brush member having a handle coupled to a 'dog legged shaped shank,'" however, the Applicant respectfully submits that not all of the references cited by the examiner disclose dog-legged-shaped shanks. The Petre reference, for instance, has a shank with



90-shaped bend, not a dog-legged shank, and other of the cited references disclose shanks with 90-degree bends.

Respectfully submitted

Date: May 13, 2004

By

A handwritten signature in cursive script, appearing to read "L. Lockwood", written over a horizontal line.

Lucius L. Lockwood, 53,231  
Lewis and Roca LLP  
40 N. Central Avenue  
Phoenix, AZ 85004  
Phone: 602.262.5355  
Fax: 602.734.3899